

# (1949) Department.

## Education SERIES.

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G.O. NO. 3741 Edw

Dated 6-12-1949.

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### [Despatch Abstract.]

1 Acquisition - South Kanara Dt - Mangalore taluk and town - No. 89-A, Kodialbail village - T.S. No. 198-A1 - for the extension of the hostel of St. Mary's College, Mangalore - Draft Declaration under section 6 of the Land Acquisition Act - Published.

From

Said AHMED SAHIB BAHADUR, B.Sc.(HMS)  
Collector of South Kanara.

To

The Secretary to the Government Education and Public Health  
Department,  
Fort St. George, 13  
MADRAS.

Sir,

Sub: LAND ACQUISITION: South Kanara District--Mangalore Taluk--  
and P.W.--No. 69A Kodialbail village-- T.O.No. 190-A1 for the ex-  
tension of the Hostel of St. Aloysius College, Mangalore--Draft  
Declaration under section 6 of the Land Acquisition--Publication--  
requested.

Ref: 1. From the Government of Madras - Education and Public  
Health Department G.O.Ms.No. 3124 Education dated 3.12.40. *no encs*

d) I enclose herewith a draft declaration under section 6 of  
the Land Acquisition Act in respect of T.O.No. 190-A1 of 69A  
Kodialbail village, Mangalore Taluk, required for the purpose of a  
hostel for the St. Aloysius College, Mangalore. The draft notificat-  
ion under section 4(1) of the Act was approved in G.O cited above,  
and published at page 744 of Part I B of the Fort St. George  
Gazette dated 21.12.40.

3. Notices under sections 4(1) and 5-A of the Act were duly  
issued to the persons interested and their acknowledgements have  
been obtained.

4. The owner of the land by name Mrs. Mary Ellen Sybil Sequiera  
has raised some objections in respect of the land proposed  
to be acquired. Her objections are that the purpose for which  
the land is required is not a public one that the land in  
question was inherited by her from her ancestors and that it being  
the only land owned by her, in Mangalore town it cannot be dis-  
posed with, as she is now only temporarily staying in Bombay and  
intends settling down in Mangalore permanently in the house  
situated on the land; she further adds that she being a widow and  
if deprived of her only residential building at Mangalore would be  
put to great hardship and difficulties and that without prejudice  
to the objections stated above, she would consider any offer  
by Government of any alternative piece of land with building  
with similar advantages and of equal value in the town of Mangalore  
in lieu of the land proposed to be acquired.

5. The objections of the owner are untenable and may be rejected  
as the need of the College for more ground is very acute in view  
of the fact that there is no accommodation in any of the lodging  
houses in the town of Mangalore.

6. The served copy of the notice and the objection petition  
received from Mrs. Mary Ellen Sybil Sequiera are enclosed for  
perusal and return. The draft declaration submitted herewith  
approved and got published in the Fort St. George Gazette.

Yours faithfully,

For Collector.

Copy to the Revenue Divisional Officer, Mangalore.  
1JC/21.12.47.

23/6 1948

# NOTIFICATION.

Under section 6 of the Land Acquisition Act His Excellency The Governor of Madras hereby declares that the land specified below and measuring acres 0-10 or 4173 Sq. ft. ~~ex~~ be the same a little more or less, is needed for a public purpose, to wit for the purpose of hostel nearby Warden's Lodge and rooms for hostallers of Aloysius College, Mangalore, ar under section 3 and 7 of the same act, the Revenue Divisional Officer, Mangalore is appointed to perform the functions of the Collector under the Act. A plan of the land is kept in the office of the Revenue Divisional Officer, Mangalore and may be inspected at any time during the office hours.

*\* and directed to take order for the acquisition of the said land ....*

## SCHEDULE

| District. | Taluk              | Village                                 | Description of<br>land wet or dry<br>inam or poramboke<br>with Survey or<br>Paimash number.                                           | Name of owner<br>or occupier. | Boundaries of the land required<br>to be taken up. |       |                        |                                 | Extent to<br>be taken up. |
|-----------|--------------------|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|----------------------------------------------------|-------|------------------------|---------------------------------|---------------------------|
|           |                    |                                         |                                                                                                                                       |                               | North.                                             | East. | South                  | West.                           |                           |
| 2.        | 3.                 | 4.                                      | 5.                                                                                                                                    | 6.                            | 7.                                                 | 8.    | 9.                     | 10                              |                           |
| Mangalore | 89-A<br>Kodialbail | Ryotwari<br>Garden<br>T.S.No:<br>198-A1 | Mrs. Mary Ellen,<br>Sybil Sequiera<br>Registered holder<br>and owner.<br>M.N. Chouta and P.<br>Venkata Rao, tenants<br>and occupiers. | 198                           | 198/B                                              | 198/B | 198/A2<br>and<br>198/B | 0-10 acres<br>or<br>4173 sq.ft. |                           |

[Enclosures to South-Kanara Collector  
Rhs. 17672-48 dated 20.6.69]

To

The Secy to the Govt., Education  
and Public Health Department  
Fort St. George - Madras.

13

13  
E.P.H(G2)

Endorsement No 4874/P/49-12  
21-9/7/49

AM 9/7

Referred to the Board of  
Revenue, Madras, for remarks.

(By order)

V. Ramanathan  
Assistant Secretary

to Govt

225

8/7/49

225  
8.7.49

To

The Board of Revenue, Madras.

REVENUE DEPARTMENT  
Subject.

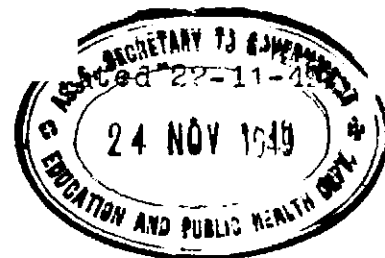
LAND ACQUISITION - (South Kanara) - Mangalore Taluk and Town - Kodialbail village - T.S.No.198-A1 - for the extension of the Hostel of St.Aloysius College, Mangalore - Draft Declaration Submitted.

Station:Madras.  
From

Ref.I.3730/49-2

Sri N.C.Thomas B.A.,  
Joint Secretary, Board of Revenue.

Sri S.Ranganathan I.C.S.,  
Commissioner of Land Revenue.



92030

P.ank  
P.ank

Read:- Collector South Kanara R.Dis.17672/48 dated 20-6-49.  
Government Endorsement 48741-G2/49-1 Edn dated 9-7-49.  
Collector of South Kanara D.Dis.19031/49 dated 14-10-49.

Reference:-

Resubmitted to the Government.

2. In the circumstances reported, the Board recommends that the objections to the acquisition may be over-ruled and that the draft declaration submitted by the Collector of South Kanara, may be approved and ordered to be published in the Fort St.George Gazette.

*U. C.*  
For Joint Secretary.

To

The Secretary to Government (E & P.H.Department).  
With Collector's letter.  
Government Endorsement and enclosures in original.

*LB.*  
*Im 23.11*  
L.N.22.11.

Copy of letter No.D.Dis.19031/49 dated 14-10-49 from the  
Collector of South Kanara.

Sub: Land Acquisition - South Kanara - Mangalore taluk - and Town - Kodialbail village - T.S.No.198-A1 for the extension of the hostel of St. Aloysius College, Mangalore - Draft Declaration further particulars - Report.

Ref:- (1) Board's Ref.I.3730/49-1 dated 9-8-49.

The topographical sketch showing the position of the existing College, the site proposed for acquisition and other particulars, called for in Board's Reference cited, is enclosed. The Revenue Divisional Officer, Mangalore who inspected the site personally reports that there is no other alternative site, adjacent to the school of nearby. Further, he reports that there are no Government lands available for being given in exchange to the owner, if her land is acquired. A copy of his inspection report, is enclosed, together with a copy of the L.A. report dealing with the objections raised by Mrs. Mary Ellen Cybil Sequira. The nominal contribution of anna one to St Aloysius College, Mangalore which is under Private Management, has already been sanctioned in G.O.Ms.3124 Education dated 8-12-48, at the time of approving the draft 4(1) notification. It is reported that Mrs. Mary Ellen

Cyril Sequira is now 49 years old and is residing in Bombay with her son and daughter, who are employed in Bombay. It is also reported that she is not likely to return and settle in Mangalore. In the circumstances the objections of the owner, may be overruled and the draft declaration may be approved and got published in the Fort St. George Gazette. The objections petition received with Board's reference cited is enclosed.

Copy of letter No.R.Dis.17672/48 dated 20-6-49. from the  
Collector of South Kanara.

Sub:- Land Acquisition - South Kanara District - Mangalore  
taluk and Town - No.89A Kodialbail village - T.S.No.  
198-A1 for the extension of the hostel of St.Aloysius  
College, Mangalore - draft declaration under section  
6 of the Land Acquisition - Publication - requested.

Ref:- From the Government of Madras Education and Public  
Health Department G.O.Ms.No.3124 Education dated  
8-12-48.

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I enclose herewith a draft declaration under section 6  
of the Land Acquisition Act in respect of T.S.No.198-A1 of 89A  
Kodialbail village, Mangalore taluk, required for the purpose  
of a hostel for the St.Aloysius College, Mangalore. The draft  
notification under section 4 (1) of the Act was approved in  
G.O. cited above, and published at page 744 of Part 1 B of the  
Fort St George Gazette dated 21-12-48.

Notices under sections 4 (1) and 5-A of the Act were duly  
issued to the persons interested and their acknowledgements have  
been obtained.

The owner of the land by name Mrs.Mary Ellen Sybil  
Sequiera has raised some objections in respect of the land  
proposed to be acquired. Her objections are that the purpose  
for which the land is required is not a public one that the  
land in question was inherited by her from her ancestors and that  
it being the only land owned by her, in Mangalore town it  
cannot be dispensed with, as she is now only temporarily staying  
in Bombay and intends settling down in Mangalore permanently  
in the house situated on the land; she further adds that she  
being a widow and if deprived of her only residential building  
at Mangalore would be put to great hardship and difficulties  
and that without prejudice to the objections stated above, she would  
consider only offer by Government of any alternative ~~xxxxx~~  
piece of land with buildings with similar advantages and of  
equal value in the town of Mangalore in lieu of the land  
proposed to be acquired.

The objections of the owner are untenable and may  
be rejected as the need of the College for more grounds is  
very acute in view of the fact that there is no accommodation  
in any of the lodging houses in the town of Mangalore.

The served copy of the notice and the objection  
petition received from Mrs.Mary Ellen Sybil Sequiera are enclosed  
for perusal and return. The draft declaration submitted  
herewith may be approved and got published in the Fort St.  
George Gazette.

E. & P.H. (G.2)

Land Acquisition - South Kanara Dt. - Mangalore taluk and town - No.89-A, Kodialbail village - T.S.No.198-A1 for the extension of the hostel of St.Aloysius College, Mangalore  
Draft declaration under section 6 of the Land Acquisition Act - published.

C.No.48741/49.

G.O. (Ms) 3741-Edn-5/6.12.49  
READ:- G.O.No.3124 Edn., dated 8-12-1948.

From the Collector of S.Kanara, R.Dis.1767-48 dated 20.6.49.  
From the Secy, Board of Revenue, Ref.I.3730/69.2  
The Govt. accept the recommendation of the Collector of South Kanara, in his letter cited above, that the objections to the acquisition of lands proposed for the construction of hostels for the St.Aloysius College, Mangalore, ~~in T.S.No.198-A1 in Kodialbail village No.89-A, Mangalore Town, should be over-ruled.~~

2. The draft declaration under Section 6 of the Land Acquisition Act submitted by the Collector with his letter read above is approved and forwarded to the Supdt., Govt. Press, Madras, for publication of the notification in English in the F.S.G.G.

The Collr., S.Kanara (with encl - p.p.7-12 c.f. in orgl. returned) & The Supdt. Govt. Press, for publn. for the Notification (with encl - p.3 c.f. with the Board of Revenue 2 spare copies.

Is there not a rule that notifications involving objections under Section 6 of the Land Acquisition Act should be sent through the Board of Revenue?

Relevant extract from the Land Acquisition

Acquisition Manual is put up at ①  
As this is a case involving an objection  
to acquisition, the notification should  
have been sent through the Board of  
Revenue, by the Collector of S. Kanara.  
However, the remarks of the Board may now  
be called for - The ~~draft~~ endorsement  
in "main" Sub 5 below. . . . .

[Issued as End No. 4874/82/49-1 2du  
dt- 2/7/49]

CNO. 92030/49. From the Board of Revenue, RE I P  
- 3730/49-2 dt- 22/11/49

The Board recommends that the  
objections to the acquisition may  
be over-ruled and the draft decla-  
ration subd by the Collector may  
be published in the Fort. St George  
Gazette. The draft order on  
ante may be approved.